



New South Wales

Road Transport (General) (Short Descriptions and Penalty Notice Offences) Amendment (Traffic Management) Regulation 2001

under the

Road Transport (General) Act 1999

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Road Transport (General) Act 1999*.

CARL SCULLY, M.P.,

Minister for Roads

Explanatory note

The object of this Regulation is to designate Traffic Commanders, appointed or employed by the Roads and Traffic Authority, as authorised officers for the purpose of issuing penalty notices for certain offences and to make other law revision amendments.

This Regulation is made under the *Road Transport (General) Act 1999*, including section 3 (1) (the definition of *authorised officer*), section 15 and section 71 (the general regulation-making power).

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Clause 1 Road Transport (General) (Short Descriptions and Penalty Notice Offences) Amendment (Traffic Management) Regulation 2001

Road Transport (General) (Short Descriptions and Penalty Notice Offences) Amendment (Traffic Management) Regulation 2001

1 Name of Regulation

This Regulation is the *Road Transport (General) (Short Descriptions and Penalty Notice Offences) Amendment (Traffic Management) Regulation 2001*.

2 Amendment of Road Transport (General) (Short Descriptions and Penalty Notice Offences) Regulation 1999

The *Road Transport (General) (Short Descriptions and Penalty Notice Offences) Regulation 1999* is amended as set out in Schedule 1.

3 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendments

(Clause 2)

[1] Schedule 1 Authorised officersInsert after the definition of *Class 16 officer*:

Class 17 officer means a person who is appointed or employed by the Roads and Traffic Authority as a Traffic Commander.

[2] Schedule 2 Penalty notice offences

Omit the matter relating to Rules 59 (1), 112 (2), 113 (2), 167, 168 (1), 169, 170, 176 (1), 177 (1), 178, 187, 191, 192, 293 (2) and 304 (1) of the *Australian Road Rules*.

Insert instead in appropriate order:

Rule 59 (1), otherwise than at toll booth	2883, 3835, 3836, 3837, 3838	proceed through red traffic light	1	211
Rule 59 (1), at toll booth	3801	proceed through red traffic light	1	126
Rule 112 (2)	2982	enter roundabout not give left change of direction signal	1	118
Rule 113 (2)	2984	enter roundabout not give right change of direction signal	1	118
Rule 167, in relation to a sign bearing the words "no stopping"	3261, 3371, 6963, 9190	disobey no stopping sign	1, 13, 17	141
Rule 167, in relation to a sign bearing the words "no standing"	0036, 0037, 7518, 7519	disobey no standing sign	1, 13, 17	63

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Schedule 1 Amendments

Rule 168 (1)	3262, 3372, 6964, 9191	disobey no parking sign	1, 13, 17	63
Rule 169	3263, 3373, 6965, 9192	stop at side of road with continuous yellow edge line	1, 13, 17	141
Rule 170 (1)	3264, 3374, 6966, 9193	stop in intersection	1, 13, 17	63
Rule 170 (2)	3265, 3375, 8465, 6967	stop on/near intersection (traffic lights)	1, 13, 17	63
Rule 170 (3)	3266, 3376, 8466, 6968	stop on/near intersection (no traffic lights)	1, 13, 17	63
Rule 176 (1)	3272, 3382, 8472, 6974	stop on clearway	1, 13, 17	141
Rule 177 (1)	3273, 3383, 8473, 6975	stop on freeway	1, 13, 17	141
Rule 178	3274, 3384, 8474, 6976	stop in emergency stopping lane	1, 13, 17	141
Rule 187 (1)	3287, 3397, 8487, 6989	stop in/on bus/transit/truck lane	1, 13, 17	118
Rule 187 (2)	1410, 1413, 8654, 8656	stop in/on bicycle lane	1, 13, 17	86
Rule 187 (2), in relation to clearway, bus or transit lane	1417, 1418, 8658, 8659	stop in/on bicycle lane (in clearway/ bus/transit lane)	1, 13, 17	118
Rule 187 (3)	3290, 3400, 6992, 9194	stop in/on tram lane/ tracks	1, 13, 17	86
Rule 187 (3), in relation to clearway, bus or transit lane	3288, 3398, 8488, 6990	stop in/on tram lane/tracks (in clearway/bus/ transit lane)	1, 13, 17	118

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Amendments

Schedule 1

Rule 191	3294, 3404, 6996, 9198	stop near obstruction so as to obstruct traffic	1, 13, 17	63
Rule 192 (1)	3295, 3405, 6997, 9199	stop on structure	1, 13, 17	63
Rule 192 (2)	3296, 3406, 6998, 9200	stop in tunnel/underpass	1, 13, 17	63
Rule 293 (2)	3215, 9132	not remove/have removed any thing fallen/put on road	1, 2, 17	118
Rule 304 (1)	3239	not obey direction of police/authorised person	1, 17	45

[3] Schedule 2

Omit the matter relating to section 23 of the *Road Transport (Driver Licensing) Act 1998*.

Insert instead:

Section 23 (1) (a)	1391	unlawfully possess Australian licence	1	503
Section 23 (1) (b)	1392	unlawfully possess article like licence	1	503
Section 23 (2)	1393	alter licence	1	503
Section 23 (3)	1394	produce altered licence	1	503
Section 23 (4) (in relation to forging a driver licence)	1397	forge driver licence	1	503

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Schedule 1 Amendments

Section 23 (4) (in relation to fraudulently altering, using or lending a driver licence)	1399	fraudulently alter/use/lend driver licence	1	503
Section 23 (4) (in relation to fraudulently allowing a driver licence to be used by another person)	1407	allow use of driver licence by other person	1	503

[4] Schedule 2

Omit the matter relating to item (f) relating to section 25 (1) (b) of the *Road Transport (Driver Licensing) Act 1998*.

Insert instead:

(f) where the driver had never been licensed within the meaning of section 25 (4) (for the first offence only)	3846, 8660	permit unlicensed driver/rider	1, 2	524
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[5] Schedule 2

Insert “or axle group” after “with respect to that axle” in Column 1 of item (b) in relation to clause 16 (operate or drive Class 2 vehicle not in accordance with notice or permit) of the *Road Transport (Mass, Loading and Access) Regulation 1996*.

[6] Schedule 2

Omit “, or the sum of the axle loads on a twinsteer axle group or a tandem axle group,” from Column 1 of item (a) in relation to clause 36 (in relation to a breach of a mass limit in respect of a condition of a notice or permit by owner of part of a combination) of the *Road Transport (Mass, Loading and Access) Regulation 1996*.

[7] Schedule 2

Omit “or axle group” from Column 1 of item (a) in relation to clause 36 (in relation to a breach of a mass limit in respect of a condition of a notice or permit by owner of part of a combination) of the *Road Transport (Mass, Loading and Access) Regulation 1996*.

[8] Schedule 2

Insert “, or the sum of the axle loads on a twinsteer axle group or a tandem axle group” after “dual tyres” in Column 1 of item (b) in relation to clause 36 (in relation to a breach of a mass limit in respect of a condition of a notice or permit by owner of part of a combination) of the *Road Transport (Mass, Loading and Access) Regulation 1996*.

[9] Schedule 2

Insert “or axle group” after “with respect to that axle” in Column 1 of item (b) in relation to clause 36 (in relation to a breach of a mass limit in respect of a condition of a notice or permit by owner of part of a combination) of the *Road Transport (Mass, Loading and Access) Regulation 1996*.

[10] Schedule 2

Omit the matter relating to clause 60 of the *Road Transport (Safety and Traffic Management) (Driver Fatigue) Regulation 1999*.

Insert instead:

Clause 60 (1)	8309	driver not give copy of driving records to employer	1, 2, 4	157
Clause 60 (2)	4211	employer not obtain copy of employee driving records	1, 2, 4	157

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Schedule 1 Amendments

[11] Schedule 2

Omit the matter relating to clauses 43, 60 (1), 79 (1), 82 (1) and 132 of the *Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999*.

Insert instead in appropriate order:

Clause 43 (1)	3758	allow waste oil/grease to drop on roadway	1, 2, 17	95
Clause 43 (2)	3759	responsible person allow waste oil/grease to drop on roadway	1, 2, 17	95
Clause 60 (1)	3330, 3440, 8423, 9577	stop/park in restricted parking area	1, 8, 9, 10, 11, 13, 16, 17	63
Clause 79 (1)	0740, 773, 9238, 9239	park in special event parking area	1, 13, 14, 16, 17	141
Clause 82 (1)		stop/wait next to clearway line	17	
Clause 132 (1)	3569	obscure traffic control device	1, 2, 12, 17	118
Clause 132 (2)		not remove obstruction from traffic control device	1, 2, 12, 17	118

BY AUTHORITY
